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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,185	10/29/2003	Kurt Leutner	2774	6538

7590 04/27/2004
STRIKER, STRIKER & STENBY
103 East Neck Road
Huntington, NY 11743

EXAMINER

LEUNG, PHILIP H

ART UNIT	PAPER NUMBER
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3742

DATE MAILED: 04/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/696,185

Applicant(s)

LEUTNER ET AL.

Examiner

Philip H Leung

Art Unit

3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. The drawings filed on 10/29/2003 are acceptable.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka et al (US 4,010,3430), in view of Bakker et al (US 3,305,623) and further in view of Haselby et al (US 6,717,047) or Kritchevsky et al (US 4,678,699).

Tanaka shows a door with a viewing window for a microwave unit, the door comprising a metallic door frame 3, a glass pane 21 and a transparent plastic layer 22 held spaced apart from each other between the metallic door frame and a metallic screen 23 for blocking or attenuating microwaves arranged between the glass pane 21 and plastic layer 22, the metallic screen 23 being in electrically conductive contact with the metallic door frame 3, wherein said metallic screen

Art Unit: 3742

comprises a woven fabric of thin metal wires woven together with a predetermined small spacing (see Figures 2-6 and col. 1, line 55 – col. 4, line 7 and col. 5, line 67 – col. 8, line 41). It can be seen that Tanaka shows every feature as claimed except for the use of two glass panes instead of one glass pane and one plastic layer and the explicit showing the use of metal fibers as the metal wire for the metallic screen. Bakker shows a shielded window for prevention of radio frequency leakage including a conductive frame 7 enclosing a pair of glass panes 1, 2 sandwiching a layer 3 of metallic mesh of woven wires. It teaches the use of a single glass pane and other plastic layer may be used instead of the two glass panes (see Figures 1-3 and col. 1, line 62 – col. 2, line 3). It would have been obvious to one of ordinary skill in the art to modify Tanaka to use two glass panes for sandwiching the metallic screen for higher strength, in view of the teaching of Bakker. Furthermore, Tanaka shows the use of two glass plates is known in the art of microwave oven door window (see col. 1, lines 29-32). Furthermore, Haselby or Kritchevsky shows that it is well known in the art to use metal fibers (including steel fibers as claimed in claim 8) in woven fabrics for shielding materials from leakages or interferences (see Haselby, Figure 2 and col. 3, line 12-42 and Kritchevsky, Figures 1-7, col. 2, lines 12-26, col. 3, lines 38-68 and col. 5, line 60 – col. 6, line 60). It would have been further obvious to one of ordinary skill in the art to modify Tanaka to use either metal wires or metal fibers for forming the woven metallic screen for better leakage prevention, in view of the teaching of Bakker. In regard to claims 2-5, the exact dimensions of the metal fibers and the screening openings would have been a matter of engineering expediency and can be easily determined through routine experimentation following the teaching of the references (see Tanaka, Figures 4-6 and col. 5, line 67 – col. 8, line 54;

Art Unit: 3742

Haselby, col. 3, line 27-30 and Kritchevsky, col. 5, line 60 – col. 6, line 60). In regard to claim 7, the use of black screen is well known (see Tanaka, col. 4, lines 36-39).


4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hahn (US 2,958,754), Hasegawa (US 4,631,214) and Sims et al (US 5,012,041) are further cited to show shielding screens having similar claimed features.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip H Leung whose telephone number is (703) 308-1710.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Denise Pothier can be reached on (703) 308-0265. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Philip H Leung
Primary Examiner
Art Unit 3742

P. Leung/pl
4-24-2004